

HOUSE JOINT RESOLUTION 1004

By Gravitt

A RESOLUTION relative to the Tennessee-Georgia boundary.

WHEREAS, House Resolution 943 of the Georgia General Assembly calls into question the legal boundary between the State of Tennessee and the State of Georgia; and

WHEREAS, such legislation alleges a boundary dispute between Georgia and Tennessee at the 35<sup>th</sup> Parallel and directs the governor of Georgia to communicate with Tennessee's governor "for the purpose of having joint surveys and settlements of the disputed boundary questions"; and

WHEREAS, the legislation also creates a Boundary Line Commission to meet and negotiate with a similar commission from Tennessee; and

WHEREAS, the Georgia General Assembly alleges that erroneous surveys have deprived Georgia of the use of land and bodies of water to which the State is entitled, a claim with which this body most decidedly disagrees; and

WHEREAS, in 1818, the State of Georgia commissioned James Camak to conduct a survey to determine the Tennessee-Georgia boundary; Mr. Camak requested the purchase of a zenith sector, a state-of-the-art surveying instrument, but the Georgia governor refused; and

WHEREAS, Mr. Camak was then forced to use a nautical sextant, being primarily designed for marine use; the nautical sextant only placed the surveyors near their destination, and its calculations were quickly abandoned; and

WHEREAS, nevertheless, representatives from both states certified the survey as correct on July 13, 1818, with any inaccuracies being attributable to the false economy of Georgia's governor; and

WHEREAS, this General Assembly realizes that the Tennessee-Georgia boundary has been well established for nearly 200 years, and that there is no valid reason for Tennessee to revisit this issue; and

WHEREAS, all pertinent legal precedent favors the State of Tennessee; the long-held legal principle states that the decisive factor is not where surveyors intended to draw the boundary, but is instead where people have accepted the boundary to be over time and adjusted their lives accordingly; and

WHEREAS, this legal principle completely negates the proposal to redraw the Tennessee-Georgia boundary, as the altered boundary would place parts of Chattanooga, East Ridge, St. Elmo, and Lookout Mountain in Georgia, creating an untenable situation for these Tennesseans, their local governments, and the State of Tennessee as a whole; and

WHEREAS, it is this General Assembly's duty to protect the borders and waters of our State for present and future generations of Tennesseans; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED TENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that we urge and encourage the Governor to refuse to participate in any survey or settlement seeking to alter the Tennessee-Georgia boundary and the Boundary Line Commission proposed by the Georgia General Assembly, or any similar commission established for such purpose.

BE IT FURTHER RESOLVED, that it is the sense of this General Assembly that the Tennessee-Georgia boundary has been legally established.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be delivered to the Honorable Bill Haslam, Governor of Tennessee.